

## **EAST WINDSOR TOWNSHIP COUNCIL**

Tuesday, April 20, 2010

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 8:00 p.m. on April 20, 2010.

Municipal Clerk Cindy A. Dye certified that the meeting was noticed in the Annual Meeting Notice. Notice was sent to the Trenton Times, filed with the Municipal Clerk and posted in the East Windsor Township Municipal Building, all on January 5, 2010. All requirements of the "Open Public Meetings Act" were satisfied.

Council Member Hector Duke led the flag salute.

Present were: Mayor Janice S. Mironov, Deputy Mayor Marc Lippman, and Council Members Walter T. Daniels, Jr., Hector Duke, Alan Rosenberg, and Perry Shapiro. Also present were Alan M. Fisher, Township Manager, Township Attorney David E. Orron and Municipal Clerk Cindy A. Dye. Council Member Marsha Weinstein was absent.

### **PRESENTATIONS & PROCLAMATIONS:**

Mayor Mironov presented the following student winners of the Recycling Poster Contest with certificates and gift cards in recognition of Earth Day -- April 22, 2010: Walter C. Black School K-2: 3<sup>rd</sup> Milee Patel; 2<sup>nd</sup> Aadarsh Ramakrishnan; 1<sup>st</sup> Aayush Gupta; Walter C. Black 3-5: 3<sup>rd</sup> Saiashwarya Sanchula; 2<sup>nd</sup> Claire Anders; 1<sup>st</sup> Kevin Sun; Perry L. Drew School K-2: 3<sup>rd</sup> Aneesh Acharya; 2<sup>nd</sup> Rajiv Srinath; 1<sup>st</sup> Ishika Rai; Perry L Drew School 3-5: 3<sup>rd</sup> Shreya Shah; 2<sup>nd</sup> Ananya Ramachandran; 1<sup>st</sup> Byron Ruf; Ethel McKnight School K-2: 2<sup>nd</sup> Maeve McGowan; 1<sup>st</sup> Kael McCarthy; Ethel McKnight School 3-5: 2<sup>nd</sup> David Harrington; 1<sup>st</sup> Mia Kennedy; Grace N. Rogers School K-2: 2<sup>nd</sup> Andrew Mazurek; 1<sup>st</sup> Anjali Rabindran; Grace N. Rogers 3-5: 3<sup>rd</sup> Ramya Yamarthy; 2<sup>nd</sup> Tommy Cesard and 1<sup>st</sup> Angelina Caruso.

Mayor Mironov said that the proclamation in recognition of Arbor Day - - April 30, 2010 will be done at an outside event.

Mayor Mironov said that the proclamation in recognition of The Month of the Young Child – April 2010 - - -Better Beginnings Day Care Center will be done at an outside event on April 24, 2010.

Mayor Mironov said that the proclamation in recognition of Better Beginnings Mayor 2010 Shining Star Awards (April 24, 2010): Individual Achievement/Public Officials - - East Windsor Chief of Police William W. Spain; Individual Achievement/Public Officials - - East Windsor Lieutenant James Brady; Individual Achievement/Volunteer - - Rosanne Stabile; Community Organization - - Next Level Youth; Business - - Mannino's Pizzeria will be done at an outside event on April 24, 2010.

Mayor Mironov said that the proclamation in recognition of Autism Awareness Month -- April 2010 will be done at an outside event.

Mayor Mironov said that the proclamation in recognition of St. Anthony of Padua Church -- 125<sup>th</sup> Anniversary will be done at an outside event on April 23, 2010.

**PUBLIC FORUM:**

Mayor Mironov opened the meeting to the public for comment.

William Toomer, East Windsor Township 9-1-1 Dispatcher, requested that Victor Raczka sit on the committee that will be reviewing possible shared services with Mercer County for 9-1-1 services.

The following people spoke about their concerns regarding the reduction of police officers: Mark Sokol of 17 Alton Way; Wayne Hummel, President PBA Local 191; Vladimir St. Phard, 4 Lexington Court and Eric Lion, Delegate of PBA Local 191.

Council Member Alan Rosenberg made the following statement on behalf of Mayor and Council:

This governing body, in support of our Township decisions and actions, hereby shares these relevant facts:

\* The financial condition of East Windsor going into 2010 is extraordinarily daunting. This recession of our lifetime has resulted in plummeting revenues across the board, diminished tax collections and a surplus decline of about \$2 million as of 12-31-2009 compared to 12-31-2008 funds used to support the municipal budget. The preparation of the 2010 draft budget/spending plan cut \$1.2 million and resulted in five non-police layoffs, combining several positions, and deferred hiring of vacant positions.

\* A stunning bombshell by the Governor and State officials of withholding \$904,217 in funds in the midst of our 2010 budget year created nothing less than an immediate acute financial crisis, requiring an expedient resolution.

\* We called emergency meetings with all Township unions, including the police union, explained the situation and indicated that the options were massive layoffs across all departments including police or to expedite by June 1 changing health plan providers through the State health benefits plan, used by all State employees and half of the towns in NJ in exchange for which the Township offered to guarantee all jobs and existing staffing levels.

\* A change to the State health plan provides an annualized \$1 million savings and the ability to save all jobs including police. The health plan offered to the police union is comparable, even by their own admission, to their existing plan.

\* The CWA Local 1032 and the Teamsters 469-public works, recognizing the serious nature of the Township finances, readily reached agreements to change health providers and for zero salary increase in 2010. In return, all non-police jobs in the Township were guaranteed this year.

\* The PBA declined the Township offer knowing that the decision would generate police officer layoffs in order to bridge the budget gap generated by their decision. The layoffs, which are not effective until May 16, can be rescinded if the police union reconsiders its position.

\* The police union was made a two year offer: zero increase for 2010 and a 1-1/2% salary increase for 2011 with no givebacks or concessions for both years in any of their contractual benefits, so that the police keep everything they currently have. This offer would allow the Township to weather the economic storm. In addition, we welcomed the opportunity to sit down with the police union, as we always have, and negotiate a future contract going forward.

\* The existing police compensation package and benefits are certainly not insubstantial. The average patrolman's pay is \$100,000 (longevity, holiday pay), excluding overtime and extra duty. On top of that, other contractual terms can add \$10,000 in additional cash payments. The contract further requires the Township to pay 100% of the cost of up to 24 credits per year per officer for however many officers elect to attend school. And no contribution is made to health benefits.

\* Note that notwithstanding the very serious financial challenges last year, the Township was required to honor the PBA 2009 contract which provided a salary increase of 3.75% as well as increases in the various other contract payments resulting in an average 5 to 6% compensation package increase for police.

\* Further, thusfar in 2010, even with a zero salary increase, nine police officers received salary increases of \$4300 to \$5000 pursuant to the contract's salary step system and three other police officers received increased longevity payments.

\* Note for 2010 both the State and Federal governments recognized these economic times providing *No* increases to State pensions and *No* increases to social security.

It was MOVED by ROSENBERG and seconded by DANIELS to support the above referenced statement and issue it behalf of the governing body.

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays, to support the above referenced statement and issue it behalf of the governing body.

Mayor Mironov announced that Council Member Marsha Weinstein wrote a letter indicating that she was on vacation but wanted to reiterate her support for the decisions made by the governing body and the content of the statement.

The vote is now unanimous.

There being no further public comment, Mayor Mironov closed the public portion of the meeting.

**INTERVIEWS FOR BOARDS AND COMMISSIONS:** None.

**MINUTES:**

Mayor Mironov indicated that the following minutes would be rescheduled: January 12, 2010, January 26, 2010, February 2, 2010, February 16, 2010, March 2, 2010, March 16, 2010, March 25, 2010, March 25, 2010 (Closed Session), and April 6, 2010.

**RESOLUTIONS:**

**Resolution R2010-79**            Action on Bid for Lease of Farmland along Dutch Neck Road  
(Block 71.01, Lot 48)

The Township Clerk read by title Resolution R2010-79.

Mayor Mironov indicated that a recommendation was received from the Township Manager.

Mayor Mironov suggested changes to the resolution. The first sentence should indicate that “Whereas, by Resolution R2010-60 adopted on March 16, 2010 the East Windsor Township Council authorized advertising for the leasing of an open space parcel on Dutch Neck Road designated as part of Block 71.01, Lot 48.” She also suggested that the second paragraph be changed to indicate “part of Block 71.01” and further down in the Now, Therefore, the first sentence should be changed to indicate “part of Block 71.01”.

It was MOVED by DANIELS and seconded by DUKE that Resolution R2010-79 be adopted with changes.

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays, Resolution R2010-79 was adopted.

**Resolution R2010-80**            Action on Bid for Lease of Farmland along One Mile Road  
(Block 6.06, Lot 2)

The Township Clerk read by title Resolution R2010-80.

Mayor Mironov suggested the same changes made to Resolution R2010-79.

It was MOVED by ROSENBERG and seconded by DANIELS that Resolution R2010-80 be adopted with changes.

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays, Resolution R2010-80 was adopted.

**Resolution R2010-81**            Approval of Filing of 2009 Recycling Tonnage Grant  
Application with New Jersey Department of Environmental  
Protection

The Township Clerk read by title Resolution R2010-81.

Mayor Mironov indicated that there was information distributed from the Director of Public Works.

It was MOVED by ROSENBERG and seconded by LIPPMAN that Resolution R2010-81 be adopted

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays, Resolution R2010-81 was adopted.

**Resolution R2010-82**            Certifying Submission of Expenditures for Recycling Program

The Township Clerk read by title Resolution R2010-82.

Mayor Mironov indicated that this resolution is required with the filing of the report.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2010-82 be adopted

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays, Resolution R2010-82 was adopted.

**Resolution R2010-83**            Approval of Contract with Vital Services Group for Computer  
Services for the Tax Assessor's Office

The Township Clerk read by title Resolution R2010-83.

Mayor Mironov indicated that there was a recommendation from the Township Manager.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2010-83 be adopted

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays, Resolution R2010-83 was adopted.

**APPLICATIONS:** None

**REPORTS BY COUNCIL AND STAFF:**

Mr. Daniels indicated that he attended a meeting with Mercer County Council on Alcohol and Drug Abuse. The Office of Addiction in the County will now set up a 24-hour crisis line. The program also has been extended for the military personnel who were in the Middle East who have alcohol abuse problems.

**CORRESPONDENCE:** None.

**APPOINTMENTS:** None

**APPROVAL OF BILLS:**

Listed for approval were a current 2010 bill list, dated April 15, 2010, current 2009 bill list dated April 15, 2010, and a capital bill list dated April 15, 2010, as well as other miscellaneous and trust account bill lists.

Mayor Mironov requested that on page 11 of the Current 2010 bill list, emergency office visit, be pulled and an explanation be provided. Page 2 of Current 2009 bill list for Simmekjaer in the amount of \$2,000 be held until an explanation be provided and that on pages 1 and 2 of the Capital bill list, the checks be held for the two trucks until a certification has been received that the equipment has been received, inspected and acceptable.

It was MOVED by DANIELS and seconded by ROSENBERG be approved with the above noted changes.

ROLL CALL: Ayes – Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays – None

There being six (6) ayes and no nays, bills were approved with changes.

**MATTERS BY COUNCIL:**

Mayor Mironov indicated that there is a March 2010 report from the Tax Collector. There is an April 9 letter from the Hickory Corner library thanking us for Library Week and the gift certificates that were donated to the library. The Council is in receipt of an April 4 letter from Senator Shirley Turner acknowledging the letter that was sent to Governor Christie regarding the Age Restricted Housing Conversion Law and asking to amend or repeal the law. There was an April 16 communication regarding the Lanning Board linkage road from D&E Reality indicating that they need to close the road for about 10 days to do adjustments to the roadway, approximately April 26 through May 7, 2010. Saturday, May 1, from 10 a.m. to 2 p.m. at the Senior Center is the East Windsor Township Recycling Day for our residents, which is covered by the Clean Communities Grant. On Sunday, May 2 the Stony-Brook Millstone Watershed Steam will have a clean-up at Anker Park. For Arbor Day the Council is encouraging residents to plant trees in the Memorial Tree Grove. The Environmental Commission will be passing out seedlings at the PAL field on May 1.

Mr. Daniels indicated that he met a council person from Princeton Borough who indicated that FEMA was opening their office for claims from the floods. The office location is in the Princeton shopping center.

**MATTERS BY PUBLIC:**

Mayor Mironov opened the meeting to the public for comment.

The following people spoke about their concerns regarding the reduction of police officers: Mark Sokol of 17 Alton Way; Wayne Hummel, President PBA Local 191; Eric Lion, Delegate of PBA Local 191 and Bruce MacDonald of MacDonald's Jewelry in Robbinsville.

There being no further public comment, Mayor Mironov closed the public portion of the meeting.

**DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:**

1. Senate Bill S-458 - Authorization for the Transfer of the Responsibility for the Assessment and Collection of Real Property Taxes, Animal Control Services and Public Health Services from Municipalities to the County

**Resolution R2010-84**

Opposing Senate Bill S-458 Authorization for the Transfer of the Responsibility for the Assessment and Collection of Real Property Taxes, Animal Control Services and Public Health Services from Municipalities to the County

Mayor Mironov indicated that this was forwarded to the governing body by the Tax Collector. The League of Municipalities does oppose this bill.

Mayor Mironov indicated that she opposes the bill but does not support the resolution as written. The resolution poorly states opposition to the bill. It makes it sound there is a "knee jerk" opposition to consolidating or sharing services, rather than specifically indicating what the issues are: 1. there is no provision to provide each of the municipalities in the county an option as to whether or not they want to share the four services that are referenced; 2. this would give to the County, if it would go into effect, the function of tax collection and tax assessment. The problem is the bill does not provide any safeguards on how that is done. Theoretically, the county could go in and settle tax appeals and take whatever actions they wish and dump the bills on the municipalities. A structure would need to be provided that the county would accept all the liabilities that could be generated from the functions.

It was **MOVED** by DANIELS and **SECOND** by ROSENBERG to have the resolution redrafted and to carry to the May 4, 2010 Council meeting.

**ROLL CALL:** Ayes – Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays – None

There being six (6) ayes and no nays, that Resolution R2010-84 be redrafted and carried to the May 4, 2010 Council meeting.

2. Request for Leave of Absence Without Pay For Randi Gruntzel

Mayor Mironov indicated that the request is from May 10 through June 1.

It was MOVED by LIPPMAN and SECOND by DANIELS to approve the request of leave of absence without pay for Randi Gruntzel.

ROLL CALL: Ayes - Daniels, Duke, Lippman, Rosenberg, Shapiro, Mironov  
Nays - None

There being six (6) ayes and no nays to approve the request of leave of absence without pay for Randi Gruntzel.

There being no further business Mayor Mironov adjourned the meeting at 10:03 p.m.

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Cindy A. Dye  
Municipal Clerk

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Janice S. Mironov  
Mayor